

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 459**

Introduced by Beutler, 28

Read first time January 13, 2005

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Political Accountability and  
2 Disclosure Act; to amend sections 49-1401, 49-1449, and  
3 49-14,140, Reissue Revised Statutes of Nebraska; to  
4 require committees to pay registration fees; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 49-1401, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           49-1401. Sections 49-1401 to 49-14,141 and section 3 of  
4 this act shall be known and may be cited as the Nebraska Political  
5 Accountability and Disclosure Act. Any reference to sections  
6 49-1401 to 49-14,138 shall be construed to include sections  
7 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25,  
8 1989, any reference to sections 49-1401 to 49-14,138 shall be  
9 construed to include sections 49-14,123.01 and 49-14,140.

10          Sec. 2. Section 49-1449, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12          49-1449. (1) Each committee shall file a statement of  
13 organization with the commission. Except as provided in subsection  
14 (2) of this section, such statement of organization shall be filed  
15 within ten days after a committee is formed. The filing of a  
16 statement of organization is not complete unless accompanied by the  
17 registration fee established in subsection (3) of this section.  
18 The commission shall maintain a statement of organization filed by  
19 a committee until notified of the committee's dissolution. Any  
20 person who fails to file with the commission a statement of  
21 organization required by this subsection shall pay to the  
22 commission a late filing fee of twenty-five dollars for each day  
23 the statement remains not filed in violation of this subsection,  
24 not to exceed seven hundred fifty dollars.

25          (2) If the committee is formed within thirty days prior  
26 to an election for which the committee exists, the statement of  
27 organization shall be filed within two business days after the  
28 committee is formed. The filing of the statement of organization

1 is not complete unless accompanied by the registration fee  
2 established in subsection (3) of this section. Any person who  
3 fails to file with the commission a statement of organization  
4 required by this subsection shall pay to the commission a late  
5 filing fee of one hundred dollars for each day the statement  
6 remains not filed in violation of this subsection, not to exceed  
7 one thousand dollars.

8 (3) At the time that it files its statement of  
9 organization, each committee shall pay to the commission a  
10 registration fee of one hundred dollars. The commission shall  
11 remit the registration fees to the State Treasurer for credit to  
12 the Nebraska Accountability and Disclosure Commission Cash Fund.

13 (4) A committee which does not pay the registration fee  
14 at the time it files a statement of organization and has not paid  
15 the fee by the date due shall not make or receive contributions or  
16 expenditures until the fee is paid, except that:

17 (a) A committee may make an expenditure to pay the  
18 registration fee; and

19 (b) A committee may make expenditures for thirty days  
20 after the termination of its registration if the expenditures are  
21 part of the process of dissolving the committee and the committee  
22 dissolves within thirty days after the termination of its  
23 registration.

24 (5) A committee in existence on the effective date of  
25 this act shall not be required to pay the registration fee under  
26 this section.

27 Sec. 3. (1) The registration of each committee shall  
28 terminate on December 31 unless the registration is renewed. The

1 registration of a committee may be renewed by the payment of an  
2 annual registration fee of one hundred dollars to the commission on  
3 or before December 31.

4 (2) A committee whose registration has terminated shall  
5 not make or receive contributions or expenditures until such time  
6 as the registration of the committee is renewed except as otherwise  
7 provided in subsection (4) of section 49-1449.

8 (3) The commission shall remit the registration fees to  
9 the State Treasurer for credit to the Nebraska Accountability and  
10 Disclosure Commission Cash Fund.

11 (4) Any committee in existence on the effective date of  
12 this act shall continue without the payment of a registration fee  
13 until December 31, 2006, at which time the committee shall pay the  
14 annual registration fee or shall terminate pursuant to this  
15 section.

16 Sec. 4. Section 49-14,140, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18 49-14,140. The Nebraska Accountability and Disclosure  
19 Commission Cash Fund is hereby created. The fund shall consist of  
20 funds received by the commission pursuant to sections 49-1449,  
21 49-1470, 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01  
22 and section 3 of this act. The fund shall not include late filing  
23 fees or civil penalties assessed and collected by the commission.  
24 The fund shall be used by the commission in administering the  
25 Nebraska Political Accountability and Disclosure Act. Any money in  
26 the fund available for investment shall be invested by the state  
27 investment officer pursuant to the Nebraska Capital Expansion Act  
28 and the Nebraska State Funds Investment Act.

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1                   Sec.    5.       Original sections 49-1401, 49-1449, and  
2   49-14,140, Reissue Revised Statutes of Nebraska, are repealed.